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SIPDIS

DEPARTMENT FOR SCA/CEN (J. MUDGE), DRL/PHD (C. KUCHTA-
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SUBJECT: KAZAKHSTAN: NEW INTERNET DOMAIN REGULATIONS

¶1. (SBU) Summary: Last year, the GOK issued new regulations stating that the government would control the registration of internet domains in Kazakhstan. These rules have been criticized by internet groups and the OSCE as unduly politicizing Kazakhstan's cyberspace. However, to date the rules have had little impact on internet freedom of speech in Kazakhstan. End summary.

¶2. (U) In the run-up to last year's presidential elections, the Agency for Information and Communication issued new rules on how internet domains in Kazakhstan would be assigned. Issued without public debate or expert technical analysis, these rules have since been approved by the National Security Committee and currently apply to all requests for domains and sub-domains in the country.

¶3. (U) Under these rules, all applications for internet domains in Kazakhstan must be reviewed by government officials. To be registered, applicants must provide evidence that all of their DNS servers are located in Kazakhstan. Applications may also be denied for a variety of technical and procedural reasons, many of them vaguely defined.

¶4. (U) After approval, a similar list of reasons can be used to temporarily suspend registration. A registered domain can subsequently be cancelled if the issues behind the suspension are not resolved in short order.

¶5. (U) Most analysts agree that the rules are aimed against independent websites. The internet community resents the new rules, arguing that the government is not authorized to administer ".kz" domains, and that most of the specific provisions do not make sense or are unenforceable. This has led many to question whether the new rules are the result of shabby legislative work, or if they were intentionally designed to give the government a freer hand in exerting control over Kazakhstan's cyberspace.

¶6. (U) The OSCE has stated that the rules impose unreasonable restrictions on freedom of speech. It warned that governmental control over domain registration subjects the process to undue political interference. Additionally, the OSCE said clearer rules were needed for suspension and denial to prevent abuse.

¶7. (SBU) Comment: Despite public concerns, the impact of the new rules has been limited thus far. The new technical rules can be circumvented without great effort, and there is no strong evidence that government officials have made registration decisions on political grounds. Many informed

observers believe it will be more important to watch the new draft law on information resources and e-government to be considered in Parliament this September. The Chairman of the Agency responsible for drafting the new law has said its main purpose is to ensure that everyone has equal access to information. Minister of Culture and Information Yertysbayev, however, recently promised to impose greater control over internet access by the end of the year and to end "the flow of dirty libel and lies aimed against government officials." End comment.

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